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5 UNITED STATES DISTRICT COURT
6 CENTRAL DISTRICT OF CALIFORNIA
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8 ROBERT LACAMBRA,
9 Plaintiff,

10 v.

11 CITY OF ORANGE, et al.,
12 Defendants.
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Case No. 8:18-cv-00960-RGK-KES

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

15 Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and all the
16 records and files herein, along with the Report and Recommendation of the United
17 States Magistrate Judge. Further, the Court has engaged in a de novo review of
18 those portions of the Report and Recommendation to which objections have been
19 made. The Court accepts the findings, conclusions, and recommendations of the
20 United States Magistrate Judge.

21 IT IS THEREFORE ORDERED that Plaintiff's claims against the Department
22 of Motor Vehicles be dismissed with prejudice and without leave to amend.

23 Plaintiff's request for immediate appeal is DENIED. (Dkt. 90.) Construed as
24 a request for entry of final judgment under Federal Rule 54(b), the Court cannot find
25 that "there is no just reason for delay" because all practical considerations point
26 toward requiring a final and complete resolution of this entire case before appeal.¹

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28 ¹ "Judgments under Rule 54(b) must be reserved for the unusual case in which
the costs and risks of multiplying the number of proceedings and overcrowding the

1 Construed as a request for certification of interlocutory appeal under 28 U.S.C.
2 § 1292(b), the Court cannot find that the legal issue at hand involves “substantial
3 ground for difference of opinion”² or that appeal would “materially advance the
4 ultimate termination of the litigation.” 28 U.S.C. § 1292(b).

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6 DATED: July 26, 2019

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9 R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE

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appellate docket are outbalanced by pressing needs of the litigants for an early and
separate judgment as to some claims or parties.” Morrison-Knudsen Co. v. Archer,
655 F.2d 962, 965 (9th Cir. 1981). There is no “pressing need” here.

² “Courts traditionally will find that a substantial ground for difference of
opinion exists where the circuits are in dispute on the question and the court of
appeals of the circuit has not spoken on the point, if complicated questions arise under
foreign law, or if novel and difficult questions of first impression are presented.”
Couch v. Telescope Inc., 611 F.3d 629, 633 (9th Cir. 2010) (internal quotation and
citations omitted). There is no novel or disputed issue of law here.